

TA No. 886 of 2017 (O/M)
Date of decision : 25.5.2018

Salma Petitioner

Versus

Muzammil Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Mohd. Yousaf, Advocate,
for petitioner.

None for respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Notice issued to learned counsel representing respondent before trial Court received back with report that he has no instructions to receive the notice.

In these circumstances, this Court proceed to decide the matter.

Petitioner seeks transfer of petition No. HMA/73/17, titled as *Muzammil Versus Salma*, for restitution of conjugal rights under Section 46 of Muslim Personal Law, pending in Court of learned Civil Judge (Senior Division), Chandigarh, to any Court of competent jurisdiction at Jalandhar.

It is stated that one case under Protection of Women from Domestic Violence Act, 2005, is already pending at Jalandhar Courts and petitioner is unable to come from Jalandhar to Chandigarh Courts to pursue the case.

Considering the difficulty expressed by petitioner and in order to ensure that all cases pending between parties should be tried at one place, petition No. HMA/73/17, titled as *Muzammil Versus Salma*, for restitution of conjugal rights under Section 46 of Muslim Personal Law, pending in Court of learned Civil Judge (Senior Division), Chandigarh, is withdrawn from said Court and same is transferred to Court of learned Civil Judge (Senior Division), Jalandhar, for disposal in accordance with law. Consequently, petition is allowed. Since main case has been allowed, therefore, pending application, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

25.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No